



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R10-OAR-2012-0942; FRL -9908-23-Region 10]

Approval and Promulgation of Implementation Plans; State of Alaska; Revised Format of 40

CFR Part 52 for Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is revising the format for materials submitted by the State of Alaska that are incorporated by reference (IBR) into the Alaska State Implementation Plan (SIP). The regulations affected by this format change have all been previously submitted by Alaska and approved by the EPA. This format revision will primarily affect the “Identification of plan” section, as well as the format of the SIP materials that will be available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at the EPA Headquarters in Washington, D.C., and the EPA Regional Office. The EPA is also adding a table in the “Identification of plan” section which summarizes the approval actions that the EPA has taken on the non-regulatory and quasi-regulatory portions of the Alaska SIP.

DATES: This action is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are

available for inspection at the following locations:

- US Environmental Protection Agency, Region 10, Office of Air, Waste, and Toxics (OAWT-107), 1200 Sixth Avenue, Seattle, Washington 98101;
- Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460; and
- National Archives and Records Administration (NARA).

If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number: 202-566-1742. For information on the availability of this material at NARA, call 202-741-6030, or go to:

<http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Kristin Hall, EPA Region 10, (206) 553-6357, hall.kristin@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever “we,” “us” or “our” is used, it is intended to refer to the EPA. Information is organized as follows:

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I. Background

A. What a SIP is

Each state has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring network, attainment demonstrations, and enforcement mechanisms.

B. How the EPA enforces SIPs

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them. They are then submitted to the EPA as SIP revisions upon which the EPA must formally act. Once these control measures and strategies are approved by the EPA, after notice and comment, they are incorporated into the Federally-approved SIP and are identified in part 52 (Approval and Promulgation of Implementation Plans), title 40 of the Code of Federal Regulations (40 CFR part 52). The actual state regulations approved by the EPA are not reproduced in their entirety in 40 CFR part 52, but are “incorporated by reference” (IBR’d) which means that the EPA has approved a given state regulation with a specific effective date. This format allows both the EPA and the public to know which measures are contained in a given SIP and ensures that the state is enforcing the regulations. It also allows the EPA and the public to take enforcement action, should a state not enforce its SIP-approved regulations.

C. How the State and the EPA update the SIP

The SIP is a living document which the state can revise as necessary to address the unique air pollution problems in the state. Therefore, the EPA must, from time to time, take action on SIP revisions containing new and/or revised regulations in order to make them part of

the SIP. On May 22, 1997 (62 FR 27968), the EPA revised the procedures for IBR'ing Federally-approved SIPs, as a result of consultations between the EPA and the Office of the Federal Register (OFR).

The EPA began the process of developing: (1) A revised SIP document for each state that would be IBR'd under the provisions of title 1 CFR part 51; (2) a revised mechanism for announcing the EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and (3) a revised format of the "Identification of Plan" sections for each applicable subpart to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures, and "Identification of Plan" format are discussed in further detail in the May 22, 1997, Federal Register document.

D. How the EPA compiles the SIPs

The Federally-approved regulations, source-specific permits, and nonregulatory provisions (entirely or portions of) submitted by each state agency have been compiled by the EPA into a "SIP compilation." The SIP compilation contains the updated regulations, source-specific permits, and nonregulatory provisions approved by the EPA through previous rulemaking actions in the Federal Register.

E. How the EPA organizes the SIP compilation

Each compilation contains three parts. Part one contains the regulations, part two contains the source-specific requirements that have been approved as part of the SIP, and part three contains nonregulatory provisions that have been EPA-approved. Each part consists of a table of identifying information for each SIP-approved regulation, each SIP-approved source-specific permit, and each nonregulatory SIP provision. In this action, the EPA is publishing the tables

summarizing the applicable SIP requirements for Alaska. The EPA Regional Offices have the primary responsibility for updating the compilations and ensuring their accuracy.

F. Where you can find a copy of the SIP compilation

The EPA Region 10 developed and will maintain the compilation for Alaska. A copy of the full text of Alaska's regulatory and source-specific SIP compilation will also be maintained at NARA and the EPA's Air Docket and Information Center.

G. The format of the new Identification of Plan section

In order to better serve the public, the EPA revised the organization of the "Identification of Plan" section and included additional information to clarify the enforceable elements of the SIP. The revised Identification of Plan section contains five subsections:

1. Purpose and scope.
2. Incorporation by reference.
3. EPA-approved regulations.
4. EPA-approved source-specific requirements.
5. EPA-approved nonregulatory and quasi-regulatory provisions.

H. When a SIP revision becomes Federally enforceable

All revisions to the applicable SIP become Federally enforceable as of the effective date of the revisions to paragraphs (c), (d), or (e) of the applicable Identification of Plan section found in each subpart of 40 CFR part 52.

I. The historical record of SIP revision approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP processing system, the EPA retains the original Identification of Plan

section, previously appearing in the CFR as the first or second section of part 52 for each state subpart. After an initial two-year period, the EPA will review its experience with the new system and enforceability of previously approved SIP measures and will decide whether or not to retain the Identification of Plan appendices for some further period. Although the EPA is retaining the original Identification of Plan section, other sections of part 52 are duplicative of the new Identification of Plan section. The EPA is therefore removing sections 52.97 “Interstate Transport for the 1997 8-hour ozone and PM_{2.5} NAAQS” and 52.98 “Section 110(a)(2) infrastructure requirements” as part of the general “housekeeping” discussed below.

II. What the EPA is doing in this action

This action constitutes a “housekeeping” exercise to ensure that all revisions to the state programs that have occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by the EPA regulations at 40 CFR part 51. When the EPA receives a formal SIP revision request, the EPA must publish the proposed revision in the Federal Register and provide for public comment before approval.

The EPA has determined that this action falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs. Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary

to the public interest” since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations.

III. Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and is therefore not subject to review by the Office of Management and Budget. This rule is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute as indicated in the **SUPPLEMENTARY INFORMATION** section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104–4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive

Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This rule does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, the EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). The EPA has complied with Executive Order 12630 (63 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The EPA’s compliance with these statutes and Executive Orders for the underlying rules is discussed in previous actions taken on the State’s rules.

B. Submission to Congress and the Comptroller General

The Congressional Review Act (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable,

unnecessary or contrary to the public interest. This action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs. 5 U.S.C. 802(2). As stated previously, the EPA has made such a good cause finding, including the reasons therefore, and established an effective of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the Federal Register. The changes in format to the “Identification of plan” section for Alaska are not a ‘major rule’ as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

The EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Alaska SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for these “Identification of plan” reorganization actions for Alaska.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Dated: March 10, 2014.

Dennis J. McLerran,

Regional Administrator,

Region 10.

Part 52 of chapter I, title 40 of the Code of Federal Regulations, is amended as follows:

PART 52 – APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

Subpart C – Alaska

§52.70 [Redesignated as §52.74]

2. Section 52.70 is redesignated as § 52.74 and the section heading and paragraph (a) are revised to read as follows:

§52.74 Original identification of plan section.

(a) This section identified the original “Air Quality Implementation Plan for the State of Alaska” and all revisions submitted by Alaska that were Federally-approved prior to March 4, 2014.

* * * * *

3. New § 52.70 is added to read as follows:

§52.70 Identification of plan.

(a) Purpose and scope. This section sets forth the applicable State implementation plan for the State of Alaska under section 110 of the Clean Air Act, 42 U.S.C. 7401-7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference. (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to March 4, 2014, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the

material will be published in the Federal Register. Entries in paragraphs (c) and (d) of this section with EPA approval dates after March 4, 2014, will be incorporated by reference in the next update to the SIP compilation.

(2) The EPA Region 10 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of March 4, 2014.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region 10 Office at 1200 Sixth Avenue, Seattle WA, 98101; the EPA, Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave., NW., Washington, DC; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to:

<http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved regulations.

EPA-APPROVED ALASKA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanations
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 50 Air Quality Control (18 AAC 50)				
18 AAC 50 Article 1. Ambient Air Quality Management				
18 AAC 50.005	Purpose and Applicability of	10/1/04	8/14/07, 72 FR 45378	

	Chapter			
18 AAC 50.010	Ambient Air Quality Standards	10/1/04; 4/1/10	8/14/07, 72 FR 45378; 10/22/12, 77 FR 64425	except subsections (7) and (8)
18 AAC 50.015	Air Quality Designations, Classifications, and Control Regions	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.020	Baseline Dates and Maximum Allowable Increases	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.025	Visibility and Other Special Protection Areas	6/21/98	8/14/07, 72 FR 45378	
18 AAC 50.035	Documents, Procedures and Methods Adopted by Reference	12/3/05; 4/1/10	8/14/07, 72 FR 45378; 10/22/12, 77 FR 64425	except (b)(4)
18 AAC 50.040	Federal Standards Adopted by Reference	12/3/05; 12/9/10	8/14/07, 72 FR 45378; 2/9/11, 76 FR 7116; 10/22/12, 77 FR 64425	except (a), (b), (c), (d), (e), (g), (h)(17), (h)(18), (h)(19), (i)(7), (i)(8), (i)(9), and (j)
18 AAC 50.045	Prohibitions	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.050	Incinerator Emission Standards	5/3/02	8/14/07, 72 FR 45378	
18 AAC 50.055	Industrial Processes and Fuel-Burning Equipment	10/1/04	8/14/07, 72 FR 45378	except (d)(2)(B)
18 AAC 50.060	Pulp Mills	1/18/97	11/18/98, 63 FR 63983	
18 AAC 50.065	Open Burning	1/18/97	11/18/98, 63 FR 63983	
18 AAC 50.070	Marine Vessel Visible Emission Standards	6/21/98	8/14/07, 72 FR 45378	
18 AAC 50.075	Wood-Fired Heating Device Visible Emission Standards	5/6/09	5/9/13, 78 FR 27078	
18 AAC 50.080	Ice Fog Standards	1/18/97	8/14/07, 72 FR 45378	

18 AAC 50.100	Nonroad Engines	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.110	Air Pollution Prohibited	5/26/72	5/31/72, 37 FR 10842	
18 AAC 50 Article 2. Program Administration				
18 AAC 50.200	Information Requests	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.201	Ambient Air Quality Investigation	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.205	Certification	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.215	Ambient Air Quality Analysis Methods	10/1/04; 4/1/10	8/14/07, 72 FR 45378; 10/22/12, 77 FR 64425	except (a)(3)
18 AAC 50.220	Enforceable Test Methods	10/1/04	8/14/07, 72 FR 45378	except (c)(2)
18 AAC 50.225	Owner-Requested Limits	1/29/05	8/14/07, 72 FR 45378	
18 AAC 50.230	Preapproved Emission Limits	1/29/05	8/14/07, 72 FR 45378	except (d)
18 AAC 50.240	Excess Emissions	1/18/97	11/18/98, 63 FR 63983	
18 AAC 50.245	Air Episodes and Advisories	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.250	Procedures and Criteria for Revising Air Quality Classifications	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.260	Guidelines for Best Available Retrofit Technology under the Regional Haze Rule	12/30/07	2/14/13, 78 FR 10546	
18 AAC 50 Article 3. Major Stationary Source Permits				
18 AAC 50.301	Permit Continuity	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.302	Construction Permits	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.306	Prevention of Significant Deterioration (PSD) Permits	10/1/04	8/14/07, 72 FR 45378	except (b)(2) and (b)(3)

18 AAC 50.311	Nonattainment Area Major Stationary Source Permits	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.345	Construction and Operating Permits: Standard Permit Conditions	10/1/04	8/14/07, 72 FR 45378	except (b), (c)(3), and (l)
18 AAC 50 Article 5. Minor Permits				
18 AAC 50.502	Minor Permits for Air Quality Protection	12/3/05	8/14/07, 72 FR 45378	except (g)(1) and (g)(2)
18 AAC 50.508	Minor Permits Requested by the Owner or Operator	10/1/04	8/14/07, 72 FR 45378	except (1) and (2)
18 AAC 50.540	Minor Permit: Application	12/3/05	8/14/07, 72 FR 45378	except (f) and (g)
18 AAC 50.542	Minor Permit: Review and Issuance	12/1/04	8/14/07, 72 FR 45378	except (b)(2), (f)(4), (f)(5), and (g)(1) but only with respect to clean units and pollution control projects
18 AAC 50.544	Minor Permits: Content	1/29/05	8/14/07, 72 FR 45378	except (e)
18 AAC 50.546	Minor Permits: Revisions	10/1/04	8/14/07, 72 FR 45378	except (b)
18 AAC 50.560	General Minor Permits	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50 Article 7. Conformity				
18 AAC 50.700	Purpose of 18 AAC 50.700 - 18 AAC 50.785	9/4/98	12/29/99, 64 FR 72940	
18 AAC 50.705	Coverage of 18 AAC 50.710 - 18 AAC 50.735: Obligations of Responsible Agency	9/4/98	12/29/99, 64 FR 72940	
18 AAC 50.710	Transportation Conformity: Incorporation by Reference of Federal	9/4/98	12/29/99, 64 FR 72940	exceptions-IBR 93.102(c)&(d); 93.104(d)&(e)(2); 93.109(c)-(f);

	Regulations			93.118(e); 93.119(f)(3); 93.120(a)(2); 93.121(a)(1) & (b); 93.124(b)
18 AAC 50.715	Transportation Conformity: Interagency Consultation Procedures	9/4/98	12/29/99, 64 FR 72940	
18 AAC 50.720	Transportation Conformity: Public Involvement	9/4/98	12/29/99, 64 FR 72940	
18 AAC 50.725	General Conformity: Incorporation by Reference of Federal Regulations	1/4/95	9/27/95, 60 FR 49765	
18 AAC 50.730	General Conformity: Mitigation of Air Quality Impacts	1/4/95	9/27/95, 60 FR 49765	
18 AAC 50.735	General Conformity: Frequency of Conformity Determinations	1/4/95	9/27/95, 60 FR 49765	
18 AAC 50 Article 9. General Provisions				
18 AAC 50.900	Small Business Assistance Program	10/1/04	8/14/07, 72 FR 45378	
18 AAC 50.990	Definitions	10/1/04; 4/1/10; 12/9/10	8/14/07, 72 FR 45378; 10/22/12, 77 FR 64425	except (21) and (77)
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 52 Emissions Inspection and Maintenance Requirements (18 AAC 52)				
18 AAC 52 Article 1. Emissions Inspection and Maintenance Requirements				
18 AAC 52.005	Applicability and General Requirements	5/17/08	3/22/10, 75 FR 13436	

18 AAC 52.007	Suspension and Reestablishment of I/M Requirements	5/17/08	3/22/10, 75 FR 13436	
18 AAC 52.010	I/M Program Administration Office	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.015	Motor Vehicle Maintenance Requirements	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.020	Certificate of Inspection Requirements	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.025	Visual Identification of Certificate of Inspection, Waivers, and Exempt Vehicles	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.030	Department- Administered I/M Program	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52.035	I/M Program Administered by an Implementing Agency	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.037	Reporting Requirements for an I/M Program Administered by an Implementing Agency	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.040	Centralized Inspection Program	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52.045	Decentralized Inspection Program	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52.050	Emissions Standards	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.055	Alternative Requirements, Standards and Test Procedures	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.060	Waivers	5/17/08	3/22/10, 75 FR 13436	
18 AAC 52.065	Emissions-Related Repair Cost Minimum	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.070	Referee Facility	3/27/02	3/22/10, 75 FR 13436	
18 AAC	Kit Cars and Custom-	2/1/94	4/5/95, 60 FR 17232	

52.075	Manufactured Vehicles			
18 AAC 52.080	Grey Market Vehicles	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.085	Vehicle Modifications	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.090	Repair of Nonconforming Vehicles	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.095	Minimum Certification Requirements	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.100	Enforcement Procedures for Violations by Motorists	12/14/06	3/22/10, 75 FR 13436	
18 AAC 52.105	Enforcement Procedures for Violations by Certified Mechanics or Stations	1/1/00	1/8/02, 67 FR 822	
18 AAC 52 Article 4. Certification Requirements				
18 AAC 52.400	Mechanic Certification	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.405	Certified Mechanic Examinations	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.410	Training Course Certification	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.415	I/M Station Certification	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.420	Equipment Certification	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.425	Renewal of Certification	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.430	Duty to Report Change in Status	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52.440	Monitoring of Certified Mechanics and Stations	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.445	Suspension or Revocation of Certification	2/1/94	4/5/95, 60 FR 17232	

18 AAC 52 Article 5. Certified Station Requirements				
18 AAC 52.500	General Operating Requirements	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.505	Display of Certified Station Sign	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52.510	Display of Certificates	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.515	Inspection Charges	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.520	Required Tools and Equipment	2/18/06	3/22/10, 75 FR 13436	
18 AAC 52.525	Remote Station Operation	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.527	Prescreening Prohibited	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.530	Preliminary Inspection	1/1/00	1/8/02, 67 FR 822	
18 AAC 52.535	Test Abort Conditions	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.540	Official I/M Testing	3/27/02	3/22/10, 75 FR 13436	
18 AAC 52.545	Parts on Order	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.546	Unavailable Parts	1/1/98	12/29/99, 64 FR 72940	
18 AAC 52.550	Recordkeeping Requirements	2/1/94	4/5/95, 60 FR 17232	
18 AAC 52 Article 9. General Provisions				
18 AAC 52.990	Definitions	2/18/06	3/22/10, 75 FR 13436	
Alaska Administrative Code Title 18 Environmental Conservation, Chapter 53 Fuel Requirements For Motor Vehicles (18 AAC 53)				
18 AAC 53 Article 1. Oxygenated Gasoline Requirements				
18 AAC 53.005	Purpose and Applicability; General Requirements	10/31/97	12/29/99, 64 FR 72940	

18 AAC 53.007	Dispenser Labeling	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.010	Control Periods and Control Areas	2/20/04	6/23/04, 69 FR 34935	
18 AAC 53.020	Required Oxygen Content	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.030	Sampling, Testing and Oxygen Content Calculations	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.035	Per Gallon Method of Compliance	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.040	Averaging Oxygen Content Method of Compliance	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.045	Oxygen Credits and Debits	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.060	Oxygenated Gasoline Blending	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.070	Registration and Permit	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.080	Car Fees	12/30/00	1/08/02, 67 FR 822	
18 AAC 53.090	Recordkeeping	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.100	Reporting	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.105	Product Transfer Document	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.120	Inspection and Sampling	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.130	Liability for Violation	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.140	Defenses for Violation	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.150	Temporary Variances	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.160	Quality Assurance Program	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.170	Attest Engagements	10/31/97	12/29/99, 64 FR 72940	
18 AAC 53.190	Suspension and Reestablishment of Control Period	2/20/04	6/23/04, 69 FR 34935	

18 AAC 53 Article 9. General Provisions				
18 AAC 53.990	Definitions	10/31/97	12/29/99, 64 FR 72940	
City and County Ordinances				
Anchorage Municipal Code 21.85.030	Improvement Requirements by Improvement Area	1/16/87 (City effective date)	8/13/93, 58 FR 43084	Eagle River PM Plan - Contingency Plan
Anchorage Municipal Code 21.45.080.W. 7	Paving	9/24/91 (City effective date)	8/13/93, 58 FR 43084	Section W.7. Eagle River PM Plan - Contingency Plan
Fairbanks North Star Borough Ordinance No. 2001-17	Mandating a Fairbanks North Star Borough Motor Vehicle Plug-in Program	4/12/01 (City adoption date)	2/4/02, 67 FR 5064	Fairbanks Transportation Control Program – Carbon Monoxide
Fairbanks North Star Borough Ordinance No. 2003-71	An Ordinance amending the Carbon Monoxide Emergency Episode Prevention Plan including implementing a Woodstove Control Ordinance	10/30/03 (City adoption date)	7/27/04, 69 FR 44601	Fairbanks Carbon Monoxide Maintenance Plan
Ordinance of the City and Borough of Juneau, No. 91-52	An Ordinance amending the Wood smoke control code to lower the particulate count threshold, and to prohibit the burning in woodstoves of substances other than paper, cardboard and untreated wood	1/6/92 (City adoption date)	3/24/94, 59 FR 13884	Mendenhall Valley PM Plan
Ordinance of the City and Borough of	An Ordinance amending the wood smoke control fine	1/6/92 (City adoption	3/24/94, 59 FR 13884	Mendenhall Valley PM Plan

Juneau, No. 91-53	schedule to increase the fines for violations of the wood smoke control code	date)		
Ordinance of the City and Borough of Juneau No. 93-01	Setting boundaries for regrading and surfacing	2/8/93 (City adoption date)	3/24/94, 59 FR 13884	Mendenhall Valley PM Plan
Ordinance of the City and Borough of Juneau, No. 93-06	Setting boundaries for regrading and surfacing	4/5/93 (City adoption date)	3/24/94, 59 FR 13884	Mendenhall Valley PM Plan
Ordinance of the City and Borough of Juneau, No. 93-39am	An Ordinance creating Local Improvement District No. 77 of the City and Borough, setting boundaries for drainage and paving of streets in the Mendenhall Valley.	11/17/93 (City adoption date)	3/24/94, 59 FR 13884	Mendenhall Valley PM Plan
Anchorage Ordinance 2006-13	An ordinance amending the Anchorage Municipal Code, Chapters 15.80 and 15.85 to comply with State I/M regulations and to comply with DMV Electronic Procedures.	2/14/06 (City approval date)	3/22/10, 75 FR 13436	Anchorage Transportation Control Program – Carbon Monoxide
Ordinance of the City and Borough of Juneau, Serial No. 2008-28	An Ordinance Amending the Woodsmoke Control Program Regarding Solid Fuel-Fired Burning Devices.	9/8/08 (City adoption date)	5/9/13, 78 FR 27071	Mendenhall Valley PM Limited Maintenance Plan
Alaska Statutes				
Title 45 Trade and Commerce, Chapter 45.45. Trade Practices				

Sec. 45.45.400	Prohibited Transfer of Used Cars	6/25/93	11/18/98, 63 FR 63983	except (b)
Title 46 Water, Air, Energy, and Environmental Conservation, Chapter 46.14. Air Quality Control				
Sec. 46.14.510	Motor Vehicle Pollution	6/25/93	11/18/98, 63 FR 63983	except (a), (c), and (d)
Sec. 46.14.550	Responsibilities of Owner and Operator	6/25/93	11/18/98, 63 FR 63983	
Sec. 46.14.560	Unavoidable Malfunctions and Emergencies	6/25/93	11/18/98, 63 FR 63983	
Sec. 46.14.990	Definitions	6/25/93	11/18/98, 63 FR 63983	except (4), (5), (9), (11), (12), (14), (19), (20), (21), and (23)

(d) EPA approved state source-specific requirements.

EPA-APPROVED ALASKA SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Order / Permit Number	State Effective Date	EPA Approval Date	Explanation
None.				

(e) EPA approved nonregulatory provisions and quasi-regulatory measures.

EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI- REGULATORY MEASURES

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments

State of Alaska Air Quality Control Plan: Volume II. Analysis of Problems, Control Actions

Section I Background

A. Introduction	Statewide	1/8/97	12/29/99, 64 FR 72940	
B. Air Quality Control Regions	Statewide	1/8/97	12/29/99, 64 FR 72940	
C. Attainment/nonattainment Designations	Statewide	1/8/97	12/29/99, 64 FR 72940	
D. Prevention of Significant Deterioration Designations	Statewide	1/8/97	12/29/99, 64 FR 72940	
E. New Source Review	Statewide	1/8/97	12/29/99, 64 FR 72940	

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State Air Quality Control Program	Statewide	7/9/12	10/22/12, 77 FR 64425	
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A. Statewide Carbon Monoxide Control Program	Statewide	6/5/08	3/22/10, 75 FR 13436	
State Transportation Control Program	Statewide	1/1/00	1/08/02, 67 FR 822	
B. Anchorage Transportation Control Program	Anchorage	1/4/02	9/18/02, 67 FR 58711	
Anchorage Carbon Monoxide Maintenance Plan	Anchorage	9/20/11	3/3/14, 79 FR 11707	
Anchorage Second 10-year Carbon Monoxide Limited Maintenance Plan	Anchorage	4/22/13	3/3/14, 79 FR 11707	
C. Fairbanks	Fairbanks	8/30/01	5/25/01, 66 FR	

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Fairbanks Carbon Monoxide Maintenance Plan	Fairbanks	9/29/10	1/10/12, 77 FR 1414	
Fairbanks Second 10-year Carbon Monoxide Limited Maintenance Plan	Fairbanks	4/22/13	8/9/13, 78 FR 48611	
D. Particulate Matter	Statewide	10/15/91	8/13/93, 58 FR 43084	
Eagle River PM10 Control Plan	Eagle River	10/15/91	8/13/93, 58 FR 43084	
Eagle River PM10 Limited Maintenance Plan	Eagle River	9/29/10	1/7/13, 78 FR 900	
Mendenhall Valley PM10 Control Plan	Mendenhall Valley	6/22/93	3/24/94, 59 FR 13884	
Mendenhall Valley PM10 Limited Maintenance Plan	Mendenhall Valley	5/14/09	5/9/13, 78 FR 27071	
E. Ice Fog	Statewide	1/18/80	7/5/83, 48 FR 30623	
F. Open Burning	Statewide	4/4/11	2/14/13, 78 FR 10546	
G. Wood Smoke Pollution Control	Statewide	11/15/83	4/24/84, 49 FR 17497	
H. Lead Pollution Control	Statewide	11/15/83	1/3/84, 49 FR 67	
I. Transportation Conformity	Statewide	12/05/94	9/27/95, 60 FR 49765	
J. General Conformity	Statewide	12/05/94	9/27/95, 60 FR 49765	
K. Area Wide Pollutant Control Program for Regional Haze	Statewide	4/4/11	2/14/13, 78 FR 10546	
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A. Summary	Statewide	11/15/83	4/24/84, 49 FR 17497	

B. State Air Quality Regulations	Statewide	11/15/83	4/24/84, 49 FR 17497	
C. Local Programs	Statewide	11/15/83	4/24/84, 49 FR 17497	
D. Description of Source Categories and Pollutants	Statewide	11/15/83	4/24/84, 49 FR 17497	
E. Point Source Control	Statewide	11/15/83	4/24/84, 49 FR 17497	
F. Facility Review Procedures	Statewide	9/12/88	7/31/89, 54 FR 31522	
G. Application Review and Permit Development	Statewide	11/15/83	4/24/84, 49 FR 17497	
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B. Completed Air Monitoring Projects	Statewide	1/18/80	4/15/81, 46 FR 21994	
C. Air Monitoring Network	Statewide	1/18/80; 7/11/94	4/15/81, 46 FR 21994; 4/5/95, 60 FR 17237	
E. Annual Review	Statewide	1/18/80	4/15/81, 46 FR 21994	
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B. Municipality of Anchorage	Anchorage	4/22/13	3/3/14, 79 FR 11707	
C. Fairbanks North Star Borough	Fairbanks	12/11/06	3/22/10, 75 FR 13436	
CAA Section 110 Infrastructure Certification Documentation and Supporting Documents	Statewide	7/9/12	10/22/12, 77 FR 64425	
Section III Area wide Pollutant Control Program				
A. I/M Program Manual	Statewide	6/5/08	3/22/10, 75 FR 13436	
B. Municipality of Anchorage	Anchorage	4/22/13	3/3/14, 79 FR 11707	
C. Fairbanks	Fairbanks	4/22/13	8/9/13, 78 FR 48611	
D. Particulate Matter – PM10 Supporting Documents	Anchorage, Eagle River, Mendenhall Valley	10/15/91; 9/29/10; 5/14/09	8/13/93, 58 FR 43084; 1/7/13, 78 FR 900; 5/9/13, 78 FR 27071	
G. Ordinance of the City and Borough of Juneau	Juneau	11/15/83	4/24/84, 49 FR 17497	
H. Support Documents for Lead Plan	Statewide	11/15/83	1/3/84, 49 FR 67	
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1. PSD Area Classification and Reclassification	Statewide	11/15/83	4/24/84, 49 FR 17497	
2. Compliance Assurance	Statewide	11/15/83	4/24/84, 49 FR 17497	
3. Testing Procedures	Statewide	11/15/83	4/24/84, 49 FR 17497	
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Section VI Small Business Assistance Program	Statewide	4/18/94	9/5/95, 60 FR 46024	
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Section 110(a)(2) Infrastructure and Interstate Transport				
Interstate Transport Requirements - 1997 8-Hour Ozone and PM2.5 NAAQS	Statewide	2/7/08	10/15/08, 73 FR 60957	Approves SIP for purposes of CAA section 110(a)(2)(D)(i) for the 1997 8-hour ozone and 1997 PM2.5 NAAQS.
110(a)(2) Infrastructure Requirements – 1997 ozone standard	Statewide	7/9/12	10/22/12, 77 FR 64425	Approves SIP for purposes of CAA sections 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 1997 8-hour ozone NAAQS.

§ 52.97]Removed and Reserved]

4. Remove and reserve §52.97.

§ 52.98]Removed and Reserved]

5. Remove and reserve §52.98.

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